

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

FRANKLIN LYNCH,

No. C 14-0048 WHA (PR)

Petitioner,

**ORDER OF DISMISSAL;  
INSTRUCTIONS TO CLERK**

v.


KEVIN CHAPPELL, et al.,

Respondent.

This case was opened when the clerk received a petition for a writ of habeas corpus pursuant to 28 U.S.C. 2241 from petitioner, a California prisoner proceeding pro se. Petitioner wrote a letter indicating that he intended the petition to be filed in his earlier-filed case, No. C 13-5629 DMR (PR) (dkt. 4). This case, having been opened in error, is **DISMISSED** and no fee is due. The clerk shall file the petition in this case (dkt. 1) in case number C 13-5629 DMR (PR), enter judgment and close the file.

**IT IS SO ORDERED.**

Dated: February 6, 2014.

  
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WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE